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**OU#4 RI DISPUTE
U.S. DOE - FERNALD
OH6 890 008 976**

1-04-91

**USEPA/DOE-FMPC
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LETTER**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
230 SOUTH DEARBORN
CHICAGO, ILLINOIS

1175

JAN 04 1991

Mr. Andrew P. Avel
United States Department of Energy
Feed Materials Production Center
P.O. Box 398705
Cincinnati, Ohio 45239-8705

REPLY TO ATTENTION OF 5HR-12

RE: OU#4 RI Dispute
U.S. DOE - Fernald
OH6 890 008 976

Dear Mr. Avel:

The United States Environmental Protection Agency (U.S. EPA) acknowledges the receipt of the United States Department of Energy's (U.S. DOE) December 20, 1990, letter initiating dispute resolution. U.S. DOE disputed U.S. EPA's December 7, 1990, disapproval and Notice of Violation (NOV) that imposed stipulated penalties for a deficient Remedial Investigation (RI) Report for Operable Unit #4.

As you are aware, the dispute resolution process is defined in Section XIV of 1990 Consent Agreement. Section XIV.B allows for thirty (30) days of informal dispute resolution to attempt to resolve the dispute. In this case, the thirty day period started with U.S. EPA's December 7, 1990, disapproval and NOV.

U.S. DOE has not initiated any informal dispute resolution discussions regarding this matter. Please inform U.S. EPA if U.S. DOE intends to initiate any discussions prior to raising the dispute to the Dispute Resolution Committee. The dispute ends unless it is raised to the Dispute Resolution Committee prior to thirty days from U.S. EPA's disapproval and NOV.

Please contact me at (312/FTS) 886-4436, if you have any questions.

Sincerely,

Catherine A. McCord
Remedial Project Manager

cc: Richard Shank, OEPA
Graham Mitchell, OEPA-SWDO
Leo Duffy, U.S. DOE - HDQ
Joe LaGrone, U.S. DOE - ORO
Bobby Davis, U.S. DOE - Fernald

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